

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

PENNY M.,¹

Plaintiff,

v.

ANDREW M. SAUL,
COMMISSIONER OF SOCIAL SECURITY,

Defendant.

CASE NO. 3:20-cv-12

ORDER

JUDGE NORMAN K. MOON

This matter is before the Court on the Commissioner of Social Security's Motion for Summary Judgment. Dkt. 16. Pursuant to Standing Order 2011-17 and 28 U.S.C. § 636(b)(1)(B), the Court referred this matter to United States Magistrate Judge Joel C. Hoppe for proposed findings of fact and a recommended disposition. In his Report and Recommendation ("R&R"), Judge Hoppe determined that the Commissioner's final decision was not supported by substantial evidence and recommended reversing the decision and remanding under the fourth sentence of 42 U.S.C. § 405(g). Dkt. 18.

After reviewing the record in this case, and since neither party has filed objections to the R&R within fourteen days of its service upon them, the Court adopts the R&R in its entirety.

Accordingly, the Court hereby **ORDERS** that:

1. Judge Hoppe's R&R is **ADOPTED** in full, Dkt. 18;
2. The Commissioner's motion for summary judgment is **DENIED**, Dkt. 16; and

¹ This Court adopts the recommendation of the Committee on Court Administration and Case Management of the Judicial Conference of the United States that courts only use the first name and last initial of the claimant in social security opinions.

3. The Commissioner's final decision is **REVERSED**, and the matter is **REMANDED** under the fourth sentence of 42 U.S.C. § 405(g) for further proceedings consistent with Judge Hoppe's R&R.

The Clerk of the Court is **DIRECTED** to **DISMISS** this case from the Court's active docket and to send a copy of this Order to all counsel of record and to United States Magistrate Judge Joel C. Hoppe.

It is so **ORDERED**.

Entered this _23rd_ day of June, 2021.



NORMAN K. MOON
SENIOR UNITED STATES DISTRICT JUDGE